

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RONALD DAVIS,)	
)	Case No. 08-C-6081
Plaintiff,)	
)	Judge Shadur
v.)	
)	Magistrate Judge Cox
P.O. M. MCDONOUGH, Star #16586)	
and P.O. J. LALLY, Star #4717,)	Jury Demand
Individually;)	
)	
Defendants.)	

SECOND AMENDED COMPLAINT FOR FALSE ARREST

Now Comes, the Plaintiff, Ronald Davis, by and through his attorneys, Gregory E. Kulis & Associates, Ltd., and complaining against the Defendants, P.O. M. McDonough, Star #16586 and P.O. J. Lally, Star #4717, individually, as follows:

1. This action is brought pursuant to the laws of the United States Constitution, specifically, 42 U.S.C. §1983 and §1988, and the laws of the State of Illinois, to redress deprivations of the Civil Rights of the Plaintiff and accomplished by acts and/or omissions of the Defendants committed under color of law.
2. Jurisdiction is based on Title 28 U.S.C. §1343 and §1331.
3. The Plaintiff, Ronald Davis, at all relevant times, was a United States citizen and permanent resident of the State of Illinois.
4. The Defendants, P.O. M. McDonough, Star #16586 and P.O. J. Lally, Star #4717, were at all relevant times, duly appointed police officers of the City of Chicago Police Department and, at all relevant times, were acting within their scope of employment and under color of law.
5. On or about August 19, 2007, the Plaintiff, Ronald Davis, was in the vicinity of Lamon and Augusta in Chicago, Illinois.

6. The Plaintiff, Ronald Davis, was not committing a crime or breaking any laws.
7. The Plaintiff was stopped by the Defendants.
8. The Plaintiff was arrested.
9. There was no probable cause for the arrest.
10. The Defendants, P.O. M. McDonough, Star #16586 and P.O. J. Lally, Star #4717, then took the Plaintiff to the station and charged him despite no evidence or probable cause he committed a crime.
11. Said actions of the Defendants, P.O. M. McDonough, Star #16586 and P.O. J. Lally, Star #4717, were intentional, willful and wanton.
12. Said actions of the Defendants, P.O. M. McDonough, Star #16586 and P.O. J. Lally, Star #4717, violated the Plaintiff, Ronald Davis's, Fourth Amendment Rights and were in violation of said rights protected by 42 U.S.C. §1983.
13. As a direct and proximate consequence of said conduct of Defendants P.O. M. McDonough, Star #16586 and P.O. J. Lally, Star #4717, the Plaintiff, Ronald Davis, suffered violations of his constitutional rights, monetary expense, fear, emotional distress, pain and suffering.

WHEREFORE, the Plaintiff, Ronald Davis, prays for judgment against the Defendants, P.O. M. McDonough, Star #16586 and P.O. J. Lally, Star #4717, jointly and severally, in an amount in excess of Fifteen Thousand Dollars (\$15,000.00) in compensatory damages and Ten Thousand Dollars (\$10,000.00) in punitive damages, plus attorney's fees and costs.

JURY DEMAND

The Plaintiff, Ronald Davis, requests a trial by jury.

Respectfully submitted,

RONALD DAVIS,

By: /s/ David S. Lipschultz
Gregory E. Kulis & Associates, Ltd.

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